

## **EXHIBIT 3**

### **Declaration of Michael Davis**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

**STUDENTS FOR FAIR  
ADMISSIONS, INC.,**

**Plaintiff,**

**v.**

**UNIVERSITY OF NORTH  
CAROLINA et al.,**

**Defendants.**

**CASE NO. 1:14-CV-954**

**DECLARATION OF MICHAEL DAVIS**

I, Michael Davis, hereby make this declaration from my personal knowledge and, if called to testify to these facts, could and would do so competently:

**I. Background and Employment with The University of North Carolina at Chapel Hill**

1. I am the Associate Director for Recruitment at the University of North Carolina at Chapel Hill (the “University” or “UNC-Chapel Hill”). I assumed this role in 2015.

2. As Associate Director for Recruitment, I lead the University’s recruitment strategies, programs, and communications. These efforts include identifying qualified prospective applicants, encouraging those prospective applicants to apply for admission, and inspiring admitted applicants to enroll at the University.

3. I report directly to Stephen Farmer, Vice Provost for Enrollment and Undergraduate Admissions. On a day-to-day basis, I supervise ten full-time staff members.

4. Prior to joining UNC-Chapel Hill’s Office of Undergraduate Admissions, I worked at Drexel University in the Office of Enrollment Management for approximately eight years. I started as an event planner and was promoted to Assistant Director of Events. I continued to be promoted and later served as the Associate Director of Visit Experience and then as the Director of Communications and Marketing. As Director of Communications and Marketing, I was responsible for developing and executing Drexel’s marketing strategy and recruitment communications with prospective students.

5. I graduated from the University of Georgia in 2007 with a Bachelor of Arts in History. I received a Master of Science in Communications from Drexel in 2011.

## **I. Recruitment Goals Identified by the University's Office of Undergraduate Admissions**

6. UNC-Chapel Hill's Office of Undergraduate Admissions seeks to admit highly qualified and talented students with a wide variety of backgrounds and experiences who are capable of succeeding at the University, who will form a welcoming and collaborative community, and who will help each other grow and develop. This goal supports the University's mission to serve as a center for research, scholarship, and creativity and provide its students with the educational benefits of diversity.

7. One of the ways the Office of Undergraduate Admissions pursues its goal is through recruitment — including both recruiting prospective applicants to apply and encouraging admitted students to enroll at the University (known as “yield”).

8. The Office of Undergraduate Admissions has two key recruiting and yield objectives: (1) increasing applications from key segments of prospective applicants; and (2) increasing yield percentage from all populations.

9. In addition, the University also seeks to support its public service mission by promoting a culture of college access to populations across the state, whether students ultimately enroll at the University or at another North Carolina institution.

10. The Office of Undergraduate Admissions pursues each of these goals through a variety of methods, which are discussed in detail below.

## **II. The University Engages in a Variety of Outreach Programs Designed to Increase Applications from Key Population Segments**

11. With respect to increasing applications from key population segments, the University focuses its recruitment efforts on certain priority populations. For example, for the class of 2021, the priority populations included:

- Top North Carolina students (North Carolina residents who either have a top test score —1470 or higher on the SAT or 32 or higher on the ACT — or are in the top 3% of their graduating high school class);
- First generation college students;
- Students with low socioeconomic backgrounds;
- Underrepresented minority students (Native American, African American, or Hispanic/Latino);
- International students;
- Students from six out-of-state markets —Miami, Atlanta, Washington D.C., New York City, Dallas, and Silicon Valley; and
- Students from key international markets, including London and the UK, Canada, the Middle East, and South and Central America.

12. In addition to these target populations, the UNC System as a whole is working to increase applications and graduation rates for students from counties identified as Tier I or Tier II by the North Carolina Department of Commerce (“NCDOC”). The tier system analyzes the comparative economic well-being of each county in North Carolina. The NCDOC calculates tiers according to factors such as average unemployment rate, median household income, percentage growth in population, and adjusted property tax base per capita. The 40 most distressed counties are designated as Tier I, while the next 40 distressed counties are designated as Tier II. Additionally, the UNC System’s five-year plan seeks to increase enrollment and graduation rates of low-income students. Specifically, by 2021 UNC-Chapel Hill seeks to increase enrollment of low-income students by 4.2% over 2015 levels, and to increase graduation of low-income students by 14.4%

13. The University begins its recruitment process by identifying talented prospective applicants from these key population segments. In recent years, the University has collected between 80,000 and 100,000 prospect names per admissions cycle. The Office of Undergraduate

Admissions uses a variety of methods to identify and solicit applications from qualified prospects.

**A. The University Uses a Variety of Methods to Identify Qualified Prospects and Provide Targeted Information About UNC-Chapel Hill.**

14. The University collects contact information for students who register for a campus visit, attend recruiting events, or contact the Office of Undergraduate Admissions. But the University's efforts to connect with talented qualified applicants go well beyond connecting with students who have already demonstrated an interest in the University.

15. The Office of Undergraduate Admissions also purchases names and contact information for high school students from testing companies such as the College Board. Specifically, the Office of Undergraduate Admissions purchases the names of high school freshmen, sophomores, and juniors who have scored well on the PSAT, PLAN, SAT, ACT and AP exams. The University uses this data to disseminate information about the University or, in keeping with the University's public service mission, provide information about college access more generally. This information can also supplement what we know about students who have expressed interest in the University.

16. For students who have identified themselves to the College Board as first-generation college applicants or as falling within certain socioeconomic parameters, the Office of Undergraduate Admissions sends additional relevant information about the University. For instance, the University might send information about its Carolina Firsts program to first generation applicants. Carolina Firsts provides targeted resources, events, and mentoring opportunities to help first-generation college students succeed and graduate. Other students might receive information about the University's expansive financial aid offerings—including

the well-respected Carolina Covenant program, which allows the University's lowest income students to graduate debt-free.

17. In addition to purchasing student contact information from the College Board, the Admissions officers make a concerted effort to engage students in their homes, schools, and communities. The University participates in the Carolina Association of Collegiate Registrars & Admissions Officers ("CACRAO"), a professional organization of admissions, registrars, and counselors from different universities that organizes college fairs across North Carolina. By participating annually in high school college fairs organized by CACRAO, the Office of Undergraduate Admissions has the opportunity to welcome and counsel students from every county and every high school in North Carolina.

18. Office of Undergraduate Admissions officers typically visit about 150 North Carolina high schools each year to meet with potential applicants, attend college fairs, host parent nights, and coordinate student dinners. University representatives at every level — including Stephen Farmer, Vice Provost for Enrollment and Undergraduate Admissions — travel across the state and to other key national regions to promote the world-class educational opportunities available at UNC-Chapel Hill. University representatives also educate prospects about the University's affordability.

19. The Office of Undergraduate Admissions also maintains a robust online and social media presence. The Office uses email, YouTube, Facebook, Twitter, and Instagram to disseminate information about applying to and paying for college. The University's social media platforms highlight its commitment to access and affordability. Key themes in the University's communications are: (1) academic excellence, (2) community, and (3) affordability. The Office

of Undergraduate Admissions endeavors to show the multi-faceted components of campus life and make sure that diversity is reflected in its messaging.

20. On top of these efforts, the Office of Undergraduate Admissions also runs a phone campaign in which current students make calls to prospective students. University students involved in making the calls include student-employees from the Office of Undergraduate Admissions, volunteers from the Student Ambassador program, student workers from the Office of Diversity & Inclusion, and students from the Men of Color Engagement.

**B. The University Invites Prospects to Visit Campus to Learn More About the Opportunities Available at UNC-Chapel Hill — Including Applying to and Paying for College.**

21. In addition to traveling around the state and to key national regions and engaging with prospects on social media and through direct calls, the University also encourages qualified prospects to visit campus. The Office of Undergraduate Admissions, in conjunction with the Office for Diversity & Inclusion, hosts on-campus events throughout the year to promote the opportunities available for students of all backgrounds.

22. Project Uplift, for example, is a summer program designed to engage underserved students throughout the state and encourage them to apply to UNC-Chapel Hill. High achieving African American, Native American, Latinx, Asian American, low income, rural and other rising seniors from historically underserved populations are invited to spend two days on campus to experience the University's academic rigor and social climate. During May and June, approximately 1,000 rising seniors participate in this early recruitment program.

23. Project Uplift participants who want to spend more time on campus can apply for Uplift PLUS (UP) — a five-week program during which participants live on campus, attend SAT/ACT coaching sessions, and take a three-credit freshman English course.



24. Rising high school juniors from rural communities can participate in North Carolina Renaissance, a four-day enrichment program that promotes leadership, team building, and community service. Participants also learn about the college admissions process and financial aid opportunities at the University.

25. Students who identify as Native American can participate in Carolina Horizons — a four-day residential program hosted by the University's American Indian Center that celebrates Native American culture on campus. During their stay, students meet and network with admissions advisors, current Native American college students, and college representatives from across the UNC system. Participants learn about the common application, essay prompts, and essay writing tips. They also begin drafting their common application essays during the program. Students learn communication etiquette, SAT/ACT preparation, and financial aid and scholarship information. Over that past three years approximately 150 Native American students have participated in Carolina Horizons.

26. In prior years, the University hosted multiple single-day events as well. For example, High School Honors Day invited high school seniors who identify as African American, Native American, Latinx, Asian American, low income or rural to spend a day on campus learning about academic programs, admissions requirements, scholarship opportunities, and financial aid. The University also hosted Nuestra Carolina and Expanding the Circle, one-day programs for Latinx and Native American prospective students, respectively. At these programs, participants engaged with the Office of Undergraduate Admissions, the Office of Scholarships and Student Aid, and various other campus resources.

27. The Office of Undergraduate Admissions hosts information sessions and leads campus tours. Current students, known as Admissions Ambassadors, conduct the tours and share

stories about their personal experiences at the University. Admissions staff and current students also are available at the Office of Undergraduate Admissions to mingle with visitors and to answer their questions about the University in general, and about topics like the application process and financial aid.

**C. The C-STEP Program Encourages Qualified Community College Students to Seek Admission to the University.**

28. In 2006, the University launched the Carolina Student Transfer Excellence Program (“C-STEP”) to enable more community college students to transfer to and graduate from Carolina. C-STEP focuses on high school seniors or community college students whose household incomes fall at or below 300 percent of the federal poverty guidelines as indexed by family size. Talented low and moderate income high school and community college students are guaranteed eventual admission to the University if they successfully complete the community college portion of the program.

29. In addition to guaranteed admission, C-STEP offers students special events, advising, and transition and support services both at their home college and at UNC-Chapel Hill. These enhanced efforts help ensure C-STEP students’ success after they transfer to UNC-Chapel Hill.

30. In January 2019, the University announced the expansion of C-STEP to two new community colleges, bringing the number of North Carolina community colleges the University partners with to 13. The University plans to continue to expand enrollment in its C-STEP partnerships over the next 5 years.

### **III. UNC-Chapel Hill's Carolina College Advising Corps Engages with Thousands of High School Students Across North Carolina to Champion the Benefits of a College Education, Including at UNC-Chapel Hill**

31. The Carolina College Advising Corps ("CCAC"), an integral part of the Office of Undergraduate Admissions at UNC-Chapel Hill, is an innovative program that works to increase the number of low-income, first-generation college, and underrepresented minority students who enter and complete higher education. Through a nationwide consortium of colleges and universities, recent graduates of partner colleges and universities are hired, trained, and placed as full-time college advisors in underserved high schools.

32. UNC-Chapel Hill's chapter of the College Advising Corps aims to help low-income, first-generation, and underrepresented minority students from North Carolina attend college by placing recent UNC-Chapel Hill graduates as college advisors in selected public high schools throughout the State. Advisors assist with the admissions and financial aid processes.

33. The CCAC program began in 2007 and in 2017-2018, 57 CCAC advisors served 77 high schools across the state of North Carolina. Advisors serve one or two high schools where they work full time, and are dedicated to supporting students as they navigate the college admissions and financial aid processes. (Ex. 61 (2015 CCAC Information Sheet), UNC0226162.)

34. Advisors promote college attendance through one-on-one counseling sessions with students, group presentations, parent information nights, and direct communication with parents. Their goal is for every senior in our partner high schools to at a minimum, have a one-on-one conversation with a college counselor regardless of whether they are considering college.

35. CCAC advisors help students identify and apply to post-secondary programs (including but not limited to four-year and community colleges) that will best serve them, both academically and socially. Advisors seek to promote college attendance generally. Depending on

students' credentials, they may encourage students to consider community college or other colleges that may not be as selective as UNC-Chapel Hill.

36. CCAC advisors encourage students to apply to multiple schools and diversify the schools to which they are willing to apply. Advisors encourage students to consider schools they otherwise might not have considered, taking into account the student's chances of admission and the fit of the school to the student's personal circumstances.

37. Although CCAC advisors promote college generally, because the advisors are recent alumni of UNC-Chapel Hill and can share about their experiences at and love for UNC-Chapel Hill, the program has the secondary effect of promoting UNC-Chapel Hill and encouraging talented students at partner high schools to apply and, if accepted, enroll at UNC-Chapel Hill. CCAC advisors help talented students at partner high schools see that UNC-Chapel Hill is not beyond their reach.

38. With respect to UNC-Chapel Hill in particular, the number of admitted and enrolled students from CCAC partner schools is on the rise. For admission in the Fall of 2017, for instance, 813 first-year students applied to UNC-Chapel Hill from 71 high schools served by the CCAC. Of those, 376 were admitted and 252 enrolled. For admission in the Fall of 2018, UNC-Chapel Hill received 930 applications from students applying from one of 75 schools served by the CCAC. Of those, 389 were admitted and 262 enrolled.

39. The CCAC program is not state funded, and no state funding has been allocated to it. The program receives 30-40% of its funding from the College Advising Corps' national organization. Otherwise, it relies on its own fundraising efforts. Under this model, the CCAC has made significant efforts to expand the program (which has grown), but future expansion efforts

will be limited based on private donations and grants, and UNC-Chapel Hill's ability to maintain the high-level of quality of the program.

#### **IV. The Office of Undergraduate Admissions Continues its Recruiting Efforts After Applicants Have Been Offered Admission.**

40. After admissions decisions are released, the Office of Undergraduate Admissions works to encourage admitted students to enroll at the University. The University seeks to increase its acceptance rate, or "yield," across all populations.

41. The University's merit scholarship program is an important tool we use to encourage talented admitted students to enroll at the University. We also offer some admitted students special opportunities through our Excel @ Carolina program in an effort to encourage their matriculation.

42. Many of our recruiting efforts are directed at encouraging low-socioeconomic students to attend the University. For example, we offer financial assistance and regularly and most often are covering the full cost to students who want to visit campus before accepting an offer of admission. The University offers travel grants to applicants who qualified for an admissions fee waiver or whose financial aid application demonstrates financial need. The University covers those students' travel and lodging costs to attend one of several admitted students events.

43. The travel grant program helps low-socioeconomic status students attend one of several events hosted by the University to encourage matriculation. For example, Decision Day and Admitted Students Day are on-campus events that introduce admitted students to the University community. Participants meet with faculty and current students; tour campus; receive presentations on financial aid, housing, and study abroad opportunities; and learn about the hundreds of student organizations on campus.

44. Before Admitted Students Day, the University hosts a special breakfast for admitted students who are first generation college applicants, plus their family members. This year, 566 admitted students and their relatives attended. During this breakfast, the students and their families are welcomed by the Office of Undergraduate Admissions and the University's Carolina Firsts Office (a campus office dedicated to the support of first-generation college students) and have the opportunity to hear from current first-generation college students and staff.

45. All admitted students, including admitted students who identify as Latinx or Native American, can participate in Dia de Bienvenida or Native Heels Day. This program includes panel discussions with current students, faculty, and staff who identify with these populations. The program also features a campus tour and lunch in the dining hall and is intended to celebrate the Latinx and Native American cultures and their contributions to campus, as well as to feature information about targeted support networks.

46. In addition to inviting admitted students to campus and helping to pay for the visit, the University also deploys various social media and phone campaigns to encourage matriculation. For these efforts, the Office of Undergraduate Admissions employs work-study students and partners with student organizations around campus — such as the Carolina Indian Circle and the Campus Y — to contact students who have expressed interest in a particular organization.

47. The Office of Undergraduate Admissions also sends print mailings to admitted students from specific academic departments, such as the Honors program.

48. We also host small group dinners with admitted students and their families across the state targeted at certain populations. In the past, the Office of Undergraduate Admissions has

hosted these dinners for African-American men, Native American students, first-generation college students, and Top North Carolinians.

**V. The Office of Undergraduate Admissions Continuously Evaluates Its Recruitment Efforts**

49. I review application and enrollment data to assess the effectiveness and success of our recruitment efforts.

50. This data allows me to track the number of applications the Office of Undergraduate Admissions has received and reviewed and the change in these statistics over a three-year period. This information allows me to compare progress on receiving and reading applications against previous years. The Office of Undergraduate Admissions leadership team may also use this data to set or adjust recruitment strategies and application review deadlines.

51. The report also allows me to track the number of students the University has admitted as well as the number and percentage of students who have enrolled. Our leadership team uses this data to adjust yield strategies.

52. The Office of Undergraduate Admissions also tracks the success rates of its recruitment events to determine which events yielded high acceptance rates.

53. In addition to tracking application, yield, and event data, the Office of Undergraduate Admissions also analyzes the success of its programs by surveying applicants about the admissions process and visitors who attend admissions-related events. Admitted students receive an Admitted Student Questionnaire that seeks to identify the basis for an applicant's decision to enroll at the University or elsewhere. The Office of Undergraduate Admissions uses this data to improve recruiting techniques for future admissions cycles.

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I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing statements are true and correct.

Executed on January 11, 2019.

  
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Michael Davis  
Associate Director for Recruitment